

Kevin P. Rooney, #107554
Of Counsel, HAMMERSCHMIDT LAW CORPORATION
2445 Capitol Street, Suite 215
Fresno, CA 93721
Tel: (559) 233-5333
Fax: (559) 485-3852

Attorney for Defendant, DONIS MALDONADO

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No.: 1:21-cr-00027-LJT-SKO
Plaintiff,)	WAIVER OF DEFENDANT'S PRESENCE
vs.)	PURSUANT TO FEDERAL RULE OF
)	CRIMINAL PROCEDURE 43(b)(3) and
)	ORDER
DONIS MALDONADO,)	
Defendant)	

Pursuant to Federal Rule of Criminal Procedure 43(b)(3), the Defendant having been advised of the right to be present at all stages of this criminal case, requests that this Court proceed in Defendant's absence for all proceedings which involve only a conference or hearing on a question of law. Defendant agrees that Defendant's interests shall be represented at all times by the presence of Defendant's attorney the same as if Defendant were personally present and requests that this Court allow Defendant's attorney to represent Defendant's interests at all times when Defendant is absent. Defendant further agrees that an order to the Defendant's attorney that Defendant's presence is required at a particular hearing will be deemed notice to the defendant of the requirement of the Defendant's appearance at court hearing on the date and time ordered to appear.

The Defendant acknowledges that it is Defendant's responsibility to know of all future court dates and to stay in close contact with Defendant's counsel prior to and immediately after Defendant's

1 hearing. Defendant also acknowledges that Defendant must update Defendant's counsel of any change
2 of address and any change in contact information. Defendant acknowledges that a failure to abide by
3 any of these requirements may result in this waiver being vacated by the Court.

4 Defendant acknowledges that a failure to appear at a hearing for which the Defendant was
5 ordered to appear, even if the Defendant's counsel is unable to advise Defendant of the hearing, may
6 result in the issuance of a warrant for the Defendant's arrest and may result in additional criminal
7 charges.

8
9
10 DATED: May 25, 2023

/s/ Donis Maldonado
DONIS MALDONADO

11
12
13 I acknowledge the foregoing.

14 DATED: May 25, 2023

/s/ Kevin Rooney
KEVIN P. ROONEY
Attorney for Defendant,
DONIS MALDONADO

15
16
17
18 **ORDER**

19 IT IS HEREBY ORDERED that pursuant to Fed. R. Crim P. 43(b)(3), Defendant's
20 appearance is excused from all proceedings which involve only a conference or a hearing on a
21 question of law in this case until ordered to appear. Defendant is ORDERED to update
22 Defendant's counsel of any change of Defendant's address and any change in contact
23 information.

24
25
26 DATED: 5/30/2023

Sheila K. Oberto
HON SHEILA K. OBERTO
UNITED STATES MAGISTRATE JUDGE